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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/574,014	03/29/2006	Shinzo Tomonaga	Q93265	4343
23373	7590	08/01/2008	EXAMINER	
SUGHRUE MION, PLLC			ZHANG, JUE	
2100 PENNSYLVANIA AVENUE, N.W.				
SUITE 800			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20037			2838	
			MAIL DATE	DELIVERY MODE
			08/01/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/574,014	TOMONAGA, SHINZO	
	<b>Examiner</b>	<b>Art Unit</b>	
	JUE ZHANG	2838	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 29 March 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 4 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 4 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 29 March 2006 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/29/2006</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
|  | 6) <input type="checkbox"/> Other: _____ .                        |

## DETAILED ACTION

### ***Specification***

1. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim is generally narrative and indefinite, failing to conform to current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with idiomatic errors and lack of proper antecedence in the disclosure. For example: "... a switching unit that performs switching from a DC voltage including a DC voltage generated from an AC voltage to an AC voltage having an arbitrary frequency and an arbitrary voltage and that outputs the AC voltage ...", "... information concerning an operation of the load preset by the storage unit ... on information emitted from **various detectors** ...", "... characteristics

concerning the main circuit unit, calibration values with respect to the various detectors, a production history, an operation history, and specifications ....

4. The above are but a few specific examples of indefinite and functional or operational language used throughout the claims, and are only intended to illustrate the extensive revision required to overcome the rejections under 35 USC 112, second paragraph. The above-mentioned requirement for corrections therefore, are in no way a complete and thorough listing of every indefinite and functional or operational language used throughout the claims. Applicant is required to revise the claim completely, and not just correct the indefinite and functional or operational language mentioned. The following art rejections are given in view of the above rejections of claims under 35 USC 112, second paragraph. Therefore, the following art rejections are applied only as far as the claim is understood in view of rejections made under the second paragraph of 35 USC 112.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Keizo et al. (JP Pub. No. 11-027949, hereinafter '949) (Examiner Note: the following recitations in the rejection is based on the English translation of the above prior art).

Claims 1, '949 teaches an electric power converter including a main circuit unit (1) including a switching unit (e.g., 5) that performs switching from a DC voltage including a DC voltage (2) generated from an AC voltage to an AC voltage having an arbitrary frequency and an arbitrary voltage and that outputs the AC voltage (Abstract; Fig. 1); and

a control unit (4) including a storage unit that pre-stores setup information (e.g., table 2)[0031]concerning setting for driving a load ( 3) that includes an operating mode of the load or concerning setting for display, the control unit controlling a switching element (5) that is a component of the switching unit based on information concerning an operation of the load preset by the storage unit and based on information emitted (e.g., through the communication means 7)[0013] from various detectors (e.g., the malfunction detection means)[claim 15] included in the main circuit unit so that the switching element reaches a desired on/off operational state, wherein the main circuit unit and the control unit are detachably attached to each other, and another control unit differing in a control manner can be newly attached to the single main circuit unit, and wherein the main circuit unit includes a storage unit that stores at least characteristics concerning the main circuit unit, calibration values with respect to the various detectors, a production history, an operation history, and specifications (abstract; Fig. 1 )[0031]-[0035].

'949 does not explicitly disclose that the DC voltage is generated from an AC voltage having an generated from an AC voltage to an AC voltage having an arbitrary frequency and an arbitrary voltage. However, it is known to one in art at the time of invention that DC voltage can be generated from an AC power source in order to provide power to a load in direct-current form by using an AC to DC converter. Therefore, the subject matter as a whole would have been obvious to one of ordinary skill in the art at the time the invention was made to have used an AC to DC converter to generate the DC voltage of '949, as it is well-known in art, in order to have provided power in DC form, because it is known to one in art at the time of invention that it is a suitable method in order to have provided power in direct-current form to load by converting an AC voltage to DC voltage.

**Examiner's Note:**

7. Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

8. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jue Zhang whose telephone number is 571-270-1263. The examiner can normally be reached on M-Th 7:30-5:00PM EST, Other F 7:30AM-5:00PM EST

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron Williams can be reached on 571-272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Akm Enayet Ullah/  
Supervisory Patent Examiner, Art  
Unit 2838

JZ